

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

TOMIE GREEN,

PLAINTIFF

V.

NO. 4:06CV14-P-B

CHRISTOPHER EPPS, ET AL,

DEFENDANTS

ORDER DENYING MOTION FOR STAY PENDING APPEAL

This *pro se* conditions of confinement case was dismissed on February 9, 2006, for failure to state a claim upon which relief could be granted. Plaintiff on February 23, 2006, filed a motion entitled "Motion to Vacate Judgment of Final Order," which was treated as a motion for relief from judgment pursuant to Rule 60(b), Federal Rules of Civil Procedure and which was denied on February 24, 2006. Plaintiff has now filed a pleading asking that the case be stayed pending appeal. The motion is wholly without merit and is **denied**.

SO ORDERED, this the 16th day of March, 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE